

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEW MEXICO

RENAUD BELHOMME,

Plaintiff,

vs.

No. CIV 05-0687 RB/RLP

THE DOWNS OF ALBUQUERQUE, INC.,

ATLAS TEMPORARY SERVICE, INC.,

DAN COOK, General Manager,

Defendants.

MEMORANDUM OPINION AND ORDER

THIS MATTER came before the Court for consideration of Plaintiff's "Post-trial Omnibus Special Speaking Restorative Motion to Alter/Amend Judgment for New Trial and Relief from Judgment" (Doc. 38), filed on March 6, 2006. This matter was dismissed for failure to state a claim on February 7, 2006. Plaintiff's Motion for the Court to Grant Plaintiff Rehearings and Continuances, filed on February 17, 2006, was denied on February 22, 2006.

A motion to reconsider filed within ten days after a case is dismissed is considered a motion under Rule 59(e). *See Van Skiver v. United States*, 952 F.2d 1241, 1243 (10th Cir. 1991). Grounds warranting a motion to reconsider include (1) an intervening change in the controlling law, (2) new evidence previously unavailable, and (3) the need to correct clear error or prevent manifest injustice. *Brumark Corp. v. Samson Resources Corp.*, 57 F.3d 941, 948 (10th Cir. 1995). Plaintiff advances no grounds that warrant reconsideration. Thus, Plaintiff's motion will be denied.

IT IS ORDERED.



ROBERT C. BRACK
UNITED STATES DISTRICT JUDGE